

41-8-4. Operation of a vehicle by a person under 18 -- Use of wireless telephones prohibited -- Exceptions -- Penalty.

(1) Except as provided in Subsection (2), a person younger than 18 years of age, whether a resident or nonresident of this state, may not use a wireless telephone to communicate with another person while operating a motor vehicle upon a highway of this state.

(2) It is an affirmative defense to a violation of this section that a person younger than 18 years of age was using a wireless telephone while operating a motor vehicle:

- (a) during a medical emergency;
- (b) when reporting a safety hazard or requesting assistance relating to a safety hazard;
- (c) when reporting a criminal activity or requesting assistance relating to a criminal activity; or
- (d) when communicating with a parent or legal guardian.

(3) A person who violates this section is guilty of an infraction and shall be fined a maximum of \$25.

(4) (a) A violation of this section is not a reportable violation.

(b) The Driver License Division may not assess points under Section 53-3-221 against the driving record of the person who violates this section.

Enacted by Chapter 326, 2013 General Session